time shall be kept in all offices under the control of Government in the City and Island of Bombay and shall be there held to be the official time for all purposes.

2. Outside the City and Island of Bombay the adoption, generally throughout the Presidency, of Indian mean time has given satisfaction, and that time should consequently continue to be regarded as official time everywhere in the Presidency, except in Bombay and Aden.

3. Intimation of the orders now passed should be given to the Judicial Department for communication to the Honourable the Chief Justice and Judges of the High Court; to the Ecclesiastical Department for communication to the Lord Bishop; to the other Departments of the Secretariat; and to the Postmaster-General and the Superintendent of Telegraphs.

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(58)

CIRCULAR.

No. 394 of 1843.

Territorial Deparment (Revenue).

To

Sir,

The practice of borrowing money from, or on the security of, subordinate servants, being considered highly improper, the Honourable the Governor in Council is pleased to prohibit it in all branches of the public service, and to declare that any person who may in future transgress the rule now laid down will subject himself to the penalty of dismissal from office.

2. You will be pleased to make this order known to all persons serving on your establishment.

Bombay Castle, 4th February 1843.

Ordered that a copy of this foregoing Circular be transferred to the several Departments of the Secretariat, that it may be issued to the Heads of Offices and Departments under their respective control.

(Signed) L. R. REID,
Chief Secretary.

CIRCULAR.

No. 956 of 1844.

Territorial Department (Revenue).

To

The REVENUE COMMISSIONER,
Northern Division.

Sir,

Several instances have recently come to the knowledge of Government of officers, filling civil appointments in the districts subordinate to this Presidency, having borrowed money from Natives residing within their official jurisdiction, and as no practice can be more injurious than this to the public interests, and to the character of Government and of its servants, the Honourable the Governor in Council has resolved positively to prohibit under the severest penalties any future transactions of this nature.

2. I am directed to call your particular attention to the first clause of Section 1, Regulation XXIII of 1827, Chapter I, and to inform you that under the Regulation, sawkars, shroffs and money-lenders of every denomination are held by Government to be included among those Natives with whom the Civil officers of Government are not to have any pecuniary transactions, and further that the penalty of dismissal from their situations will be enforced on officers of the Revenue as well as officers of the Judicial branch of the service who may offend against the provisions of this clause.

3. The Governor in Council having also taken into consideration the evils arising from persons in involved and embarrassed circumstances holding high and responsible situations under Government, has resolved thus publicly to intimate to all officers in the Honourable Company's service under this Presidency that henceforward the fact of officers being so situated will be considered, in the absence of satisfactory explanation of the causes in which such embarrassments originate, a strong objection to their advancement to offices of trust and responsibility.

Bombay Castle, 27th March 1844.

No. 551.

POLITICAL DEPARTMENT.

Bombay Castle, 7th February 1860.

Letter from the Government of India, Foreign Department, No. 904, dated 31st December 1859 :—

"I am directed by the Governor General to forward copy of a Notification of this date, published by order of His Excellency, and to request that the rule therein laid down may be observed in the Bombay Presidency.

Notification of the Government of India, Foreign Department, No. 900, dated 31st December 1859.

"It has been brought to the notice of the Governor General that public officers in some parts of India are in the habit of overdrawing their accounts with Native bankers and other persons residing, or carrying on business, within the limits of their jurisdiction.

This practice is entirely opposed to the orders of the Government, and is expressly prohibited by Section 3, Regulation VII, 1823, of the Bengal Code.

This section is now republished for general information and guidance :—

'All Judges of Zilla and City Courts, all Magistrates, Joint Magistrates, Registrars and Assistants to Magistrates, all Collectors and Deputy Collectors of the Land Revenue, all Assistants to such Collectors or other officers, exercising the powers of such Collector, are prohibited, under pain of dismissal from office, from borrowing money from, or in any way incurring debt to, any Zamindar, Talukdar, ryot, or other persons possessing real property or residing in, or having a commercial establishment within the city, district or division to which their authority may extend.'

Officers politically employed were prohibited by the orders of the Government of India dated the 22nd March 1845 from borrowing money of, or lending money to, any Native of India, resident within their respective political circles.

The Governor General now calls the attention of all officers of Government employed in any Civil or Political capacity in any part of India to their express prohibitions; and warns them that by any infraction thereof, whether by overdrawing accounts with bankers or in any other way, they will incur the severe displeasure of the Government.

Residents, Agents, Commissioners, and other controlling officers will be held responsible for checking any departure from the strict letter of this order on the part of their subordinates."

RESOLUTION.—Copies of the Government of India's letter and of its accompaniment to be furnished for information and guidance to the officers subordinate to the General and Public Works Departments.

B 1423—25

Government Servants: Orders prohibiting — from entering into pecuniary arrangements with members of the Service or Department to which they belong in connection with the resignation of any appointments held by them.

No. 91.

GENERAL DEPARTMENT.

Bombay Castle, 11th January 1884.

Letter from the Secretary to the Government of India, Home Department, Public, No. 55—1865, dated 29th December 1883 :—

"The Governor General in Council considers it desirable to republish for general information the orders issued by the Government of India in Notification No. 216 (General Department), dated 9th September 1842, prohibiting civil and military servants of the Government from entering into pecuniary arrangements with members of the service or Department to which they belong, in connection with the resignation of any appointment held by them. Officers of Government are warned that any violation of these orders will be severely visited on the offender."

Notification by the Government of India in the General Department, No. 216, dated Fort William, 9th September 1842.

"It having come to the knowledge of Government that very erroneous impressions are entertained on the subject of pecuniary arrangements referable to the resignation of appointments, the Honourable the President in Council is pleased to give notice that all such arrangements are prohibited, and that on proof of any appointment, civil or military, having been resigned under such circumstances, the nomination consequent on such resignation will be cancelled, and the parties concerned suspended the service in Public Orders pending the pleasure of the Honourable the Court of Directors."

RESOLUTION.—Copy of the letter and enclosure should be forwarded to all Departments and Heads of Offices for information and guidance.

2. The Notification of the Government of India of 1842 was republished at page 716 of the *Bombay Government Gazette*, dated 13th October 1842.

Borrowing of money by Covenanted Civil Servants, Statutory Civilians, &c.: Orders regarding the —.

No. 1154.

GENERAL DEPARTMENT.

Bombay Castle, 14th April 1888.

Resolution of the Government of India in the Home Department (Public), No. 637-22—639, dated 16th March 1888 :—

"Read—

Home Department Circular letter No. 4952—4960, dated 28th October 1869, requesting that, if orders had not already been issued prohibiting Uncovenanted as well as Covenanted servants of Government from borrowing money from Native residents in their districts, they should be promulgated.

"Read—

Home Department Circular letter No. 51—2361-68, dated 14th October 1887, to Local Governments and Administrations except Bengal and the North-Western Provinces, enquiring whether any orders had been issued prohibiting the borrowing of money by Covenanted Civil Servants from persons residing, possessing property or carrying on business within the districts to which such Civil Servants may be appointed.

"Read also the following letters :—

From the Government of Madras, No. 1540, dated the 17th November 1887, and enclosures.

From the Government of Bombay, No. 3901, dated 26th December 1887, and enclosure.

From the Government of the Punjab, No. 1929, dated 15th November 1887.

From the Chief Commissioner, Central Provinces, No. 5453—299, dated 1st November 1887, and enclosures.

From the Chief Commissioner of Burma, No. 409—333-N., dated 18th November 1887.

From the Chief Commissioner of Assam, No. 6540, dated 2nd November 1887.

From the Chief Commissioner of Coorg, No. 2070—2247, dated 7th November 1887.

From the Resident at Hyderabad, No. 481-G., dated 22nd November 1887, and enclosures.

RESOLUTION.

"From the replies to Home Department Circular of the 14th October 1887, it appears that there are no uniform executive orders on the subject of the pecuniary relations of Government officers with persons who are subject to their authority, and as the Regulation VII of 1823 applies only to Covenanted Civil Servants and only to such officers when serving in certain portions of the Bengal Presidency, the Governor General in Council considers it desirable that definite instructions should now issue with the object of making the liability in this matter of all officers holding Civil appointments the same throughout India. The Governor General in Council is accordingly pleased to direct that the following rules shall be strictly observed in future:—

1. All Covenanted Civil Servants, Statutory Civilians, Uncovenanted officers who hold gazetted appointments and Military officers in Civil employ are prohibited, under pain of dismissal, from taking loans from, or otherwise placing themselves under pecuniary obligations to, persons subject to the official authority or influence of such Government officers, or residing, possessing property or carrying on business within the local limits for which such Government officers are appointed.

2. This prohibition does not extend to transactions in the ordinary course of business with joint stock banks and British firms.

ORDER.—Ordered that a copy of this Resolution be forwarded to Local Governments and Administrations, for information and guidance, and that a copy be forwarded to all Departments of the Government of India for information."

RESOLUTION.—To be communicated to all members of the Covenanted Civil Service for information and guidance.

2. Copies should also be communicated to all Departments of the Secretariat and to all Heads of Offices subordinate to them.

Vide Government Resolution No. 3566, dated 2nd July 1897.

"3. Any such officer, as is referred to in Rule I, who is appointed or transferred to a post in which he will be in a position to exercise official influence or authority over any person to whom he is under any pecuniary obligation, or to a post with local jurisdiction within the limits of which any person to whom he is under any pecuniary obligation resides, possesses property or carries on business, shall be bound to declare, without delay, the circumstance to the officer to whom he is immediately subordinate for report to the Government, and failing to do so shall be subject to the same penalty as if the obligation were incurred after his appointment or transfer."

Rules regulating the conduct of Public Servants.

No. 502.

GENERAL DEPARTMENT.

Bombay Castle, 31st January 1890.

Resolution of the Government of India, Home Department (Public), No. 2-R.—87-103, dated 16th January 1890:—

"Read—

Home Department Resolution No. 11—426-437, dated the 17th March 1882.

RESOLUTION.

"Section 2 of Regulation XXXVIII of 1793 prohibits Covenanted Civil Servants from lending money, directly or indirectly, to any proprietor or farmer of land, or dependent tálukdár or under-farmer, or rayat, or their sureties; and by Home Department Resolution of 17th March 1882, read in the preamble, this prohibition has been extended to natives of India appointed to an office ordinarily reserved for members of the Covenanted Civil Service under the provisions of 33 Vict., Cap. III, Section 6.

"2. Instances have recently been brought to the notice of the Government of India in which uncovenanted gazetted officers of Government have lent large sums of money at various, and sometimes very high, rates of interest, to landholders of the province, and even of the district in which they are serving. It appears to the Governor General in Council very desirable that this practice should be discontinued at once. His Excellency in Council is accordingly pleased to direct that the existing rules on the subject, which apply to Covenanted Civil Servants and members of the Statutory Civil Service, shall be extended to all uncovenanted officers in the subordinate executive and judicial services of the Government. Such officers are hereby prohibited from lending money at interest, whether directly or through relatives or other agents to landholders, with or without security, within the province in which they are employed."

RESOLUTION.—Copies of the Resolution of the Government of India should be forwarded to the Commissioners of Divisions, the Commissioner in Sind, all Collectors including the Collectors and Deputy Commissioners in Sind and the Accountant General for information and guidance in continuation of Government Resolution No. 3000, dated 7th August 1882.

2. Copies should also be forwarded to all Departments of the Secretariat and all other Heads of Offices subordinate to them for information and guidance.

Borrowing of money by Covenanted and Uncovenanted Civil Servants: Orders regarding the —.

No. 2468.

GENERAL DEPARTMENT.

Bombay Castle, 19th July 1892.

Memorandum from the Government of India, Home Department (Public), No. 12-Pub.—1557, dated 31st May 1892—Forwarding for information and guidance copy of the following letter No. 12-Pub.—1556 of the same date to the address of the Chief Secretary to the Government of Madras:—

"I am directed to acknowledge the receipt of your letter No. 193, dated the 24th March 1892, enquiring whether the orders contained in Home Department Resolution No. 22—637-53, dated the 16th March 1888, prohibiting public officers, under pain of dismissal, from taking loans from persons subject to their official authority or influence should be regarded as cancelling the orders marginally noted, and whether Uncovenanted officers holding non-gazetted appointments are permitted to borrow money from their subordinates.

Home Department Circular Nos. 4952—CO, dated 28th October 1869.
Home Department letter No. 1899, dated 25th April 1872.

"2. In reply I am to say that the orders contained in the Resolution of 16th March 1888 had reference to gazetted officers only and were not intended to cancel the orders of the 28th October 1869 and the 25th April 1872, which apply to Uncovenanted non-gazetted officers. I am to explain that the difference between the orders of the 16th March 1888, affecting gazetted officers, and those in the Circular of the 28th October 1869 and 25th April 1872, affecting non-gazetted officers, is that in the former case the prohibition is absolute, while in the latter it may be relaxed in exceptional cases at the discretion of the Head of the Office (subject to the control of the Local Government) as explained in paragraph 3 of Home Department letter No. 1899 of the 25th April 1872."

RESOLUTION.—Copies of the letter from the Government of India together with copies of the orders* of 1869 and 1872 referred to therein, should be communicated to all Departments of the Secretariat and all Heads of Offices subordinate to them for information and guidance.

* Letter from the Government of India, Home Department (Public), No. 4953, dated 28th October 1869, and accompaniment.
Memorandum from the Government of India, Home Department (Public), No. 1901, dated 25th April 1872, and accompaniment.

No. 4953.

FROM

E. C. BAYLEY, ESQ.,
Secretary to the Government of India;

To

THE CHIEF SECRETARY TO THE GOVERNMENT OF BOMBAY.

Home Department.
Public.

Simla, the 28th October 1869.

SIR,

It having been brought to the notice of His Excellency the Governor General in Council that it is not sufficiently well understood that Uncovenanted as well as Covenanted servants of Government are not to be permitted to borrow money from Natives, resident in the district in which they may be employed, I am directed to draw the attention of His Excellency the Governor in Council to the point, and to request that, if orders have not already been issued on the subject, they may now be promulgated in the sense of those of the Honourable the Vice-President in Council, No. 1372, dated 14th July 1834, a copy of which is herewith forwarded for facility of reference.

I have the honour to be,
Sir,
Your most obedient Servant,
E. C. BAYLEY,
Secretary to the Government of India.

No 1372, dated the 14th July 1834.

ORDERS BY THE HONOURABLE THE VICE-PRESIDENT IN COUNCIL, JUDICIAL AND REVENUE DEPARTMENT.

The Principal Sadar Amins and Munsiffs, and the Deputy Collectors appointed under the provisions of Regulation IX of 1833, are hereby prohibited, under pain of dismissal from office, from employing or retaining on their establishment any person being their private creditor, or any relative dependent or surety of such creditor; and from borrowing money from, or in any way incurring debt to, any zamindar, tálukdár, ryot, or other person possessing real property, or residing in, or having a commercial establishment within, the city, district, or division to which their authority may extend.

If any of the Principal Sadar Amins or other of the officers above mentioned, who may be now in debt, shall, at the expiration of one year from the publication of this order, be still indebted to any person from whom it would, at such period, be illegal for him to borrow under the above rule, it shall be incumbent on such officer to make known the circumstances to the Zilla or City Judge, or to the Collector to whom he may be subordinate, for communication to the Government, if the officer be a Principal Sadar Amin, Sadar Amin, or Deputy Collector, and to the Sadar Diwani Adawlat, if the officer be a Munsiff; and in the event of intimation not being so given, the same penalty shall attach to the said officer as if the debt had been incurred subsequently to the publication of this order.

B 1423—26

In like manner, if any person who may be a candidate for the office of Principal Sadar Amin, Sadar Amin, Munsiff, or Deputy Collector shall, at the time of applying for such office, be indebted to any person with whom it would be illegal for him to contract a loan while holding it, it shall be incumbent on such person, in preferring his application, to make known the circumstance to the Judge of the city or district, or to the Collector, for communication to superior authority, as before stated; and failing to do so, he shall, in the event of his being appointed to the said office, be subject to the same penalty as if the debt had been contracted subsequently to his appointment.

No. 1899.

FROM

E. C. BAYLEY, ESQ., C.S.I.,
Secretary to the Government of India;

TO

THE CHIEF COMMISSIONER OF OUDH.

Home Department.
Public.

Fort William, the 25th April 1872.

SIR,

I am directed to acknowledge the receipt of your letter No. 3980, dated the 28th August last, on the subject of the ruling by which Uncovenanted officers are prohibited from borrowing money from natives of the districts in which they are employed, and in reply to state as follows.

2. What the Government of India intended in the orders of the 28th October 1869 by the words "Uncovenanted Officers" was generally all officers to whom the Uncovenanted Service Leave and Pension Rules are applicable, including members of ministerial establishments. And such a definition is no doubt better than the one suggested in paragraph 3 of your letter, viz., officers whose names appear in the Oudh Civil List. Such a limit would exclude from the operation of the rule many Uncovenanted officers whom it is expedient to subject to it. That subordinate officers employed in the Revenue Settlement should consider themselves exempt from the general prohibition would be anomalous and possibly mischievous.

3. It is so difficult to fix a limit, including some and excluding others of the Uncovenanted class, that the Governor General in Council considers it right to maintain the rule as applicable to all to whom the Uncovenanted Pension and Leave Regulations apply. But it should be clearly understood that this will not interfere with the discretion of the Head of an Office in allowing his subordinate ministerial officers to borrow in exceptional circumstances from persons with whom transactions would under the rule be ordinarily inadmissible.

I have the honour to be,
Sir,
Your most obedient Servant,
E. C. BAYLEY,
Secretary to the Government of India.

No. 1901.

Copy of the correspondence forwarded to the Government of Bombay for information in continuation of letter No. 4953, dated the 28th October 1869.

E. C. BAYLEY,
Secretary to the Government of India.

Government Officers: Pecuniary relations of—with persons who are subject to their authority.

No. 4906.

GENERAL DEPARTMENT.

Bombay Castle, 4th November 1896.

Letter from the Government of India, Home Department (Public), No. 32-PUBLIC—1556, dated the 9th October 1896:—

"In continuation of Home Department Resolution No. 22-Public—637-53, dated the 16th March 1888, on the subject of the pecuniary relations of Government officers with persons who are subject to their authority, I am directed to forward for the information of His Excellency the Governor in Council a copy of a letter,* addressed to the Government of the North-Western Provinces and Oudh, which contains further orders of the Government of India in the matter."

* No. 32 Public—1541 of this date.

RESOLUTION.—Copies of the letter from the Government of India and of its accompaniment should be forwarded for information and guidance to all Departments of the Secretariat and all Heads of Offices subordinate to them, in continuation of Government Resolution No. 1154, dated the 14th April 1888.

No. $\frac{\text{32-PUBLIC}}{1541}$.

FROM

H. J. S. COTTON, ESQ., C.S.I.,
Officiating Secretary to the Government of India;

TO

THE CHIEF SECRETARY TO THE GOVERNMENT OF THE NORTH-WESTERN PROVINCES AND OUDH.

Home Department.
Public.

Simla, the 9th October 1896.

SIR,

I am directed to acknowledge the receipt of your letter No. 2700, dated the 28th August 1896, submitting for the consideration of the Government of India a proposal that the Home Department Resolution No. $\frac{\text{22-Public}}{637-53}$, dated the 16th March 1888, containing orders on the subject of the pecuniary relations of Government officers with persons who are subject to their authority, should be amended in order to place Native public servants under the same obligation to disclose their indebtedness in districts to which they may be under orders of transfer, as is imposed on Covenanted servants by Section 6 of Bengal Regulation VII of 1823; and also suggesting that no distinction should be made, so far as the orders of 1888 are concerned, between the taking of loans and excessive indebtedness to tradesmen.

2. In reply I am to say that the Government of India entirely agree with the opinion expressed by His Honour the Lieutenant-Governor and Chief Commissioner that it should be obligatory on Native public servants to disclose to Government their indebtedness to individuals resident in districts to which they may be under orders of transfer. Although Section 6 of Bengal Regulation VII of 1823, which contains directions in the matter, is only applicable to Covenanted servants of Government, the principle is one which should be extended to Native officers also, and this indeed is implied in the Home Department Resolution of the 16th March 1888. The Governor General in Council would therefore approve of orders being issued by the Government of the North-Western Provinces and Oudh, if it should consider it desirable to do so, laying down distinctly the responsibility of officers other than members of the Indian Civil Service in this respect. At the same time, His Excellency in Council does not consider it necessary to amend the Resolution of the Government of India, which is drafted in general terms, and was never intended to preclude the issue of supplementary instructions by a Local Government.

3. The question raised in regard to trade debts involves more difficult considerations, and the Government of India have no desire to limit the discretion which, they think, is rightly left to Local Governments in dealing with particular cases. It is the degree of indebtedness, as pointed out by His Honour the Lieutenant-Governor and Chief Commissioner, which would indicate the desirability of interference in any case, but the character of such interference and the measures called for on the part of Government either to restrain individual officers or to avert a public scandal, are matters for determination with reference to the circumstances of each particular case. The Governor General in Council, while agreeing with His Honour that "excessive indebtedness" is a very serious disqualification for Government service, considers that it would be impossible to frame a precise definition of that expression applicable to all cases, and that it is not advisable to lay down a general rule that such indebtedness shall be punishable by dismissal from the service of Government.

I have the honour to be,

Sir,

Your most obedient Servant,

H. J. S. COTTON,

Officiating Secretary to the Government of India.

Government Officers: Pecuniary relations of — with persons who are subject to their authority.

No. 3566.

GENERAL DEPARTMENT.

Bombay Castle, 2nd July 1897.

Resolution of the Government of India, Home Department (Public), No. 1032—49, dated the 9th June 1897:—

"Read again—

Home Department Resolution No. 22—637-653, dated the 16th March 1888.

Letter to the Government of the North-Western Provinces and Oudh, No. 32-PUBLIC—1541, dated 9th October 1896, with endorsements to the other Local Governments and Administrations (except Madras and Bombay) and letters to the Governments of Madras and Bombay and the Registrar of the High Court, Calcutta, of the same date.

Read also—

Letter from the Government of the North-Western Provinces and Oudh, No. 21, dated the 7th January 1897.

Letter to the Government of the North-Western Provinces and Oudh, No. 194, dated the 19th February 1897.

Letter from the Government of the North-Western Provinces and Oudh, No. 298, dated the 20th March 1897.

RESOLUTION.

It has been brought to the notice of the Government of India that Home Department Resolution No. 22—637-653, dated the 16th March 1888, conveying orders on the subject of the pecuniary relations of Government officers with persons who are subject to their authority, makes no provision, such as is contained in Section 6 of Regulation VII of 1823, for the case of pre-existing indebtedness on the part of Civil officers to individuals resident in districts to which they may be posted. The Governor General in Council considers such a provision desirable, and is accordingly pleased to direct that the following rule shall be added to the rules laid down in the Resolution quoted above:—

'3. Any such officer, as is referred to in Rule I, who is appointed or transferred to a post in which he will be in a position to exercise official influence or authority over any person to whom he is under any pecuniary obligation, or to a post with local jurisdiction within the limits of which any person to whom he is under any pecuniary obligation resides, possesses property or carries on business, shall be bound to declare, without delay, the circumstance to the officer to whom he is immediately subordinate for report to the Government, and failing to do so shall be subject to the same penalty as if the obligation were incurred after his appointment or transfer.'

ORDER.—Ordered that a copy of this Resolution be forwarded to Local Governments and Administrations for information and guidance, and to the Registrar of the High Court, Calcutta, for information, and that a copy be also forwarded to all Departments of the Government of India for information."

RESOLUTION.—Copies of the Resolution of the Government of India should be forwarded for information and guidance to all Departments of the Secretariat and all Heads of Offices subordinate to them with reference to Government Resolutions No. 1154, dated 14th April 1888, and No. 4906, dated 4th November 1896.

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(59)

Moneys, &c., held by Government servants in their official capacity must be deposited in the Government Treasuries.

No. 1196.

GENERAL DEPARTMENT.

Extract from the Proceedings of the Government of Bombay in the Financial Department, dated 15th April 1874 :—

Read the following Resolution of the Government of India, Financial Department, No. 2124, dated 31st March 1874 :—

"Read the following :—

Financial Resolution dated Fort William, the 10th December 1861.

From correspondence that has lately passed between the Foreign Department and the Agent, Governor General for the States of Rajputana, it appears that for upwards of a quarter of a century, a fund called the 'Batta Fund' has been in existence in the Mahirwara District, the money belonging to which remained in the hands of the Treasurer of the Deputy Commissioner of that district, without being exhibited in any shape whatever in the public accounts. To prevent such irregular proceedings, His Excellency the Governor General of India in Council directs all officers of Government to bear in mind that all transactions to which they in their official character are parties must, in future, without any reservation, be brought to account, and all moneys be deposited in the Government treasuries.

ORDERED, that a copy of the above be forwarded for information and guidance as follows :—

To the several Departments of the Government of India.

To the several Local Governments and Administrations.

To the Comptroller General, and to the several Accountants General and Deputy Accountants General in independent charge.

To the several chiefs of Departments administered by the Government of India in the Financial Department.

R. H. HOLLINGBERY

Assistant Secretary to the Government of India."

RESOLUTION.—Copies to be forwarded to all Departments of the Secretariat and to the Heads of Offices under the several Civil Departments of the Secretariat for information and guidance.

B 1423—27

II.—C. W. Water Supply—
Payment of fee to members of the Committee on the water supply of Bombay.

LOCAL.

No. 97 C. W.—367 of 1874.

PUBLIC WORKS DEPARTMENT.

Bombay Castle, 10th September 1874.

Letter from the Acting Municipal Commissioner for the City of Bombay, No. 4403, dated 24th August 1874.—States that at the last meeting of the Town Council he placed before the members the memorandum, copy of which is attached, relative to the fees to be tendered to Colonel Fife, Mr. Ormiston, and Mr. Bell, for their report on the water supply of Bombay; that memorandum states that Colonel Fife had intimated to the Municipal Commissioner, on seeing the proceedings of the Town Council in the daily papers, that when his services were applied for from Government, it was on the understanding that he was precluded from receiving remuneration; also that the Honourable Colonel Kennedy had informed the Municipal Commissioner that there was a standing order of the Government of India to the effect that the officers of Her Majesty's Service were precluded from receiving any remuneration for private practice.

Letter from the Municipal Commissioner for the City of Bombay, No. 4405, dated 24th August 1874.—Brings to notice the circumstances under which a fee of Rs. 500 was about to be paid to Mr. Ormiston for his report on the Tulsi scheme, and its being withheld on receipt of a demi-official letter from the Honourable Colonel Kennedy, informing him that Mr. Ormiston being, in 1871, in the employment of Government in the Public Works Department, was precluded from taking any fees for private work done at that time; states that he communicated this demi-official letter to Mr. Ormiston, whose reply is appended; and requests to be informed whether Government have any objection to his paying to Mr. Ormiston's bankers the cheque of Rs. 500 which has already been drawn and signed.

Read again the following Government Resolution No. 62-E—238, dated 26th January 1869:—

"Endorsement from the Government of India, No. 1749-E., dated 4th December 1868.—Forwards, for information, copy of the following Despatch from the Secretary of State for India, objecting to remuneration from private persons, or public bodies, being accepted by members of the Department, except in special cases, under the sanction of the Government of India.

No. 87, dated 14th October 1868.

From—The Secretary of State for India;

To—The Government of India.

'I have received Your Excellency's Despatch, dated July 27th (No. 108), 1868, in continuation of previous correspondence on the subject of officers in the service receiving fees and commissions with the approval of the Bombay Government.

'2. No officer in the public service should be allowed to receive fees, except under the special previous sanction of Your Excellency's Government, and an enforcement of this rule will, I trust, prevent the recurrence of such cases as those of Colonel * * * * and Captain * * * * . It is very desirable that the views of the Supreme Government should be made known as a guide to Local Administrations in dealing with claims of this nature in future.

'3. I fully concur in the view that has been taken by your Government of the three particular cases that have come under their notice, and am of opinion that the practice of allowing officers to receive fees and commissions, except under very exceptional circumstances, would be detrimental to the public service.'

RESOLUTION.—To be communicated to the Departments generally."

RESOLUTION.—Government are not disposed to relax the rule and consider that Colonel Fife has shown a most proper appreciation of its spirit.

2. The case of Mr. Ormiston is, to a certain degree, different. He cannot be regarded as an officer strictly belonging to the public service, although he has, for some years, been receiving an extremely high salary from public funds for the performance of very light duties.

3. But it appears that on the 26th July 1870 the Government of Bombay increased Mr. Ormiston's salary from Rs. 3,000 a month, at which it had been fixed in June preceding, to Rs. 3,500 because he represented that he would be obliged to relinquish his private practice. He has since continued to draw salary accordingly, and His Excellency in Council cannot give any countenance to the payment now proposed to be made to him.

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(61)

Government Servants : Rules regarding the attitude to be maintained by Government servants towards political or quasi-political movements.

No. 1461.

GENERAL DEPARTMENT.

Bombay Castle, 15th April 1890.

Letter from the Government of India, Home Department, Public, No. 11—680, dated 18th March 1890 :—

"I am directed to say that the Governor General in Council has had under consideration the attitude which should be maintained by officers in the service of Government towards political or quasi-political movements with which they may be brought in contact. Servants of Government have not the same liberty of action as private individuals, and are bound to hold themselves aloof from many movements which are perfectly legitimate in themselves and which private persons are free to promote. Their participation in such movements is open to objection, because their connection with them is likely to create, and even to be appealed to for the purpose of creating, a false impression in the minds of ignorant persons that such movements have the countenance of Government, and because their influence with the community at large is liable to be impaired by their identifying themselves with the class by which the movement is promoted.

"2. For these reasons His Excellency in Council desires that the following rules may be observed by all Government servants :—

(*a*) As a general rule no officer of Government should attend at a political meeting where the fact of his presence is likely to be misconstrued or to impair his usefulness as an official.

(*b*) No officer of Government may take part in the proceedings of a political meeting, or in organizing or promoting a political meeting or agitation.

(*c*) If in any case an officer is in doubt whether any action which he proposes to take would contravene the terms of this order, the matter should be referred to the Head of the Department or District, and if necessary to the Local Government or Administration."

RESOLUTION.—Copies of the letter from the Government of India should be forwarded to all Departments of the Secretariat and all Heads of Offices under those Departments for information and guidance.

Government Servants: Public criticism of Government policy by Government servants.

No. 527.

GENERAL DEPARTMENT.

Bombay Castle, 3rd February 1899.

Letter from the Government of India, Home Department (Public), No. 2301, dated the 16th November 1898.

Memorandum from the Government of India, Home Department (Public), No. 2326, dated the 16th November 1898.—Forwarding the following addendum to the Pamphlet (second edition) containing the Rules and Orders of the Governor General in Council regulating the conduct of public servants in respect of borrowing money, &c., circulated in 1891 (*vide* Home Department endorsement No. $\frac{9\text{-Public}}{589-603}$, dated the 23rd March 1891.

"*Insert the following at page* 19 *of the Pamphlet after the entry No.* 12 :—

No. 144 (Public), dated the 6th October 1898.

From—The Right Honourable Lord GEORGE FRANCIS HAMILTON, Her Majesty's Secretary of State for India;

To—His Excellency the Right Honourable the Governor General of India in Council.

I have received your letter of the 14th July, with enclosures, relating to a speech delivered by Mr. A. B.

2. It appears that Mr. A. B. made what is said to have conveyed the impression of being 'an attack of a deliberate and somewhat violent character on the policy and proceedings of the Government.'

3. It is not surprising that this action on the part of Mr. A. B. should at once have attracted the serious notice of his official superiors, or that he should have found it necessary, within eight days of the delivery of the speech, to express his deep regret for his conduct. This apology your Government thought well to accept, and your acceptance was communicated to him.

4. In these circumstances I have no intention of commenting on this particular incident, so far as it affects Mr. A. B. individually. But I think it right, while fully recognizing that every officer is entitled to form and to hold his own opinion on public matters, to record my entire agreement with the Lieutenant-Governor's statement of the rules which must govern the conduct of Government servants in India. It should be distinctly understood that (to use his words) 'a member of the Government service is not at liberty to make an attack upon what he knows or believes to be the policy or procedure deliberately approved by the Government,' and that 'it is no justification of such attack that he is actuated by conscientious motives or has a strong conviction of the correctness of his own judgment.' I will add, further, that it is improper for an officer to convey to the public, whether in writing or in a speech or otherwise, any opinion upon matters of Government policy which are, or are likely to become, the subject of public discussion. It is, of course, inevitable that cases must from time to time occur in which the decisions of Government do not commend themselves to the officers who may have to carry them out. On such occasion the officers in question, after making proper representations to their official superiors, have only two courses open to them, namely, either to acquiesce loyally and silently in the decision of the responsible authorities, or to resign their positions in the service.

5. I am glad to have had of late more than one opportunity of stating publicly my high appreciation of the loyalty and self-devotion of the Indian Civil Service. Those qualities have never been more conspicuous than during recent years of difficult and anxious labour. But a clear understanding that the rules to which I have referred are in existence, and will be strictly enforced, can only tend to increase the efficiency of that service; and I request that Your Excellency will take such steps as may seem to you advisable to make my views generally known, and to ensure that improprieties, such as that which you have on this occasion thought fit to condone, shall not be repeated in future."

RESOLUTION.—Copies of the Addendum should be forwarded to all Departments of the Secretariat and all Heads of Offices for information and communication to their subordinates.

No. 425 OF 1873.

JUDICIAL DEPARTMENT.

Bombay Castle, 25th January 1873.

Read the following :—

"No. 121.

Extract from the Proceedings of the Government of India in the Home Department (Judicial), under date Fort William, the 16th January 1873.

Read—

A letter from the Government of Bengal No. 7032, dated the 27th ultimo, with enclosures.

RESOLUTION.

This letter gives cover to a memorial from Mr. C. D. Linton, appealing against the orders of the Lieutenant-Governor of Bengal, under which he has been removed from his appointment as Judge of the Small Cause Court at Dacca.

2. Mr. Linton's case is summarized in the Resolution of the Government of Bengal, dated 18th June last.

3. From the papers submitted, it is proved beyond all doubt that one Abbas Ali, a private servant whom Mr. Linton brought to Dacca from Chooadangah and Jessore, and in a minor degree others who followed Mr. Linton to Dacca, adopted such a demeanour and acted in such a way as to create a general impression that they possessed and exercised great influence with Mr. Linton in his dealings with his subordinate officials. This led to sums of money being paid to Mr. Linton's private servants as bribes by Court peons and even by the Omlah and such officials as the Head Clerk.

4. The Governor General in Council is aware that it is unfortunately no uncommon thing, as urged by Mr. Linton, for a clever and favoured servant to acquire such a reputation; in many cases without the slighest suspicion on the part of the master as to what is going on. The question in this case is whether Mr. Linton, either by tacit acquiescence or culpable neglect, has rendered himself deserving of punishment.

5. From the manner in which Abbas Ali and the other servants habitually domineered over Mr. Linton's official subordinates and the barefaced way in which they appear to have exercised their influence in certain cases, it is difficult to come to any other conclusion than that they acted in full assurance that their position with their master was strong enough to withstand any attacks in the shape of complaints against them.

6. Without going to the length of an assertion that Mr. Linton was cognizant of the payment of money to Abbas Ali, the Governor General in Council cannot resist the conclusion that Mr. Linton approved of his private servants taking up a position with regard to his subordinate officials which obviously and notoriously is incompatible in this country with the pure administration of a public office.

7. Further, in defiance of a well-known order, Mr. Linton employed his Court peons to purchase fowls for him, and as a natural result, they were purchased at unfairly low prices, and Mr. Linton used his official authority to force the peons to bring them in at the price which he chose to name.

8. Mr. Linton's official character has frequently formed the subject of censure and reproof; and, taking all these circumstances into consideration, the Governor General in Council does not feel justified in interfering with the orders of the Lieutenant-Governor against which Mr. Linton's present appeal is preferred.

9. His Excellency in Council takes the opportunity afforded by Mr. Linton's plea, that it is no unusual thing to employ peons in procuring bazar supplies, to direct that the Government of Bengal will impress emphatically on all public officers that the employment of public servants in making purchases, or in any private matter in which the receipt or expenditure of money is concerned, is most strictly prohibited, and that every breach of this order which is brought to the notice of Government will be severely dealt with.

B 1423—30—

ORDER.—Ordered, that a copy of the above Resolution be forwarded to the Government of Bengal for information and guidance, and for communication to Mr. Linton.

(True Extract.)

(Signed) H. WELLESLEY,
Officiating Under Secretary to the
Government of India.

No. 124.

Copy forwarded to all Local Governments and Administrations for information.

(Signed) H. WELLESLEY,
Officiating Under Secretary to the
Government of India."

RESOLUTION.—Copies should be forwarded to all Heads of Offices in the udicial Department, and to the several Departments of the Secretariat.

No. 3126 OF 1873.

JUDICIAL DEPARTMENT.

Bombay Castle, 5th June 1873.

Read the following:—

"No. 895.

Extract from the Proceedings of the Government of India in the Home Department (Judicial), under date Simla, the 22nd May 1873.

Read again—

Resolution No. 121, dated the 16th January 1873, prohibiting public officers to employ public servants in making purchases, or in any private matter involving the receipt or expenditure of money.

Read also—

Letter from the Government of Bombay, No. 1907—96 R., dated 3rd April, on the subject of the above Resolution, representing that strict compliance with the orders which it contains might derange the administration of public affairs.

RESOLUTION.

The Resolution of the 16th January should be read with its context and with advertence to preceding comments upon the facts elicited in the particular case upon which the order was passed.

It is not intended that the prohibition contained in the last paragraph of the Resolution above cited should preclude officers from employing public servants to procure for them conveyance or necessary supplies while they are travelling upon duty, though in all such transactions constant vigilance is needed to prevent cheating and extortion. But a recent case had compelled the Government of India to repeat with emphasis the standing order against employing public servants in any private business, more especially on any private bargain or money matter. His Excellency in Council believes that the distinction is patent, and that the wording of the Resolution thus interpreted cannot in practice interfere with administrative exigencies.

No. 897.

ORDERED, that a copy of this Resolution be forwarded to all the Local Governments and Administrations for information.

(True Extract.)

T. PLOWDEN,
Offg. Under Secretary to the Government of India."

RESOLUTION.—Copies should be forwarded to all Heads of Offices in the Judicial Department, and to the several Departments of the Secretariat, in continuation of Government Resolution No. 425, dated 25th January 1873.

No. 16.

EDUCATIONAL DEPARTMENT.

Bombay Castle, 8th January 1873.

Letter from the Acting Remembrancer of Legal Affairs, No. 154, dated 16th December 1872—Submitting, as requested in Government letter No. 1409, dated 14th instant, his opinion in the case of Ramchander bin Rupram *vs.* the Director of Public Instruction, &c.

RESOLUTION.—On this report of the Legal Remembrancer, His Excellency in Council is of opinion that the decision of the Assistant Judge should be acquiesced in and that no appeal should be preferred against it. The Director of Public Instruction and the Collector of Poona should see that the necessary steps are taken for giving effect to the decree.

2. The Collector of Poona should also report whether any useful end is likely to be attained by proceeding against the vendor Luxmibai for damages. If she be, as is supposed, a pauper, no advantage would result from the institution of further legal proceedings.

3. His Excellency in Council would express his dissatisfaction at the carelessness exhibited by Mr. Owans, C. S., when First Assistant Collector of Poona, and of Ráo Sáheb Narayan Bhai, Principal, Poona Training College, in arranging for the purchase of this house on behalf of Government without any proper investigation of the vendor's title.

4. The result of the action against Government in this case shows the necessity for more than ordinary caution on the part of public officers when making purchases of property on behalf of Government, and it will be necessary in future to enforce personal responsibility in all cases in which there has been a want of reasonable care in such transactions.

Sales by Public Officers.

No. 3358.

GENERAL DEPARTMENT.

Bombay Castle, 8th October 1881.

Memorandum from the Government of India, Home Department (Public), No. 44—1445, dated 23rd September 1881—Forwarding copy of the following Notification, No. 1437, of the same date:—

"The following Resolution of the Foreign Department containing rules regarding the sale of property to Natives by British officers, whether Civil, Military or Uncovenanted, is republished for general information:—

Extract from the Proceedings of the Government of India in the Foreign Department, No. 1667, dated 30th September 1868.

RESOLUTION.

His Excellency the Viceroy and Governor General in Council observes that these references originated with a case which occurred at Allahabad, where an officer wished to part with his house to a Native, under circumstances not open to

any suspicion, and with a remark from the Home Department to the effect that some change or relaxation of the rule which prohibits the sale of property to Natives by public servants under any circumstances seemed desirable. At present, under the Notification of the 3rd of December 1858, drawn up in consequence of the orders of the late Court of Directors, sales of property to Natives are strictly prohibited and officers are thereby directed to refer all transactions in regard to which they have any doubts for the orders of superior authority.

2. His Excellency in Council observes that the weight of authority on the part of the various Administrations and Departments which have lately been consulted on this subject is decidedly in favour of some modification of the existing rule, or at least of more clearly and accurately defining the course to be pursued in such cases. There can be no doubt that the restrictions imposed hitherto on such transactions have been, to a certain extent, beneficial, and that the Government of India, though it can place a full reliance on the fair dealing, honour and integrity of its civil and military services, has a right to expect, not only that all such transactions shall be correct and unimpeachable in themselves, but that they shall not run any risk of misconstruction at the hands of designing, ignorant or credulous persons.

3. The Government of India is also well aware, as pointed out by some of the high authorities consulted, that many officials who, on joining their stations, have become the owners of houses either under an absolute necessity, or from laudable motives of convenience and comfort, may, on quitting the district or province to which they have been for some time attached, literally find no purchasers for their property, except Natives of wealth or substance. When such transactions openly and avowedly take place, no evil consequences, His Excellency in Council thinks, need ever ensue under proper precautions.

4. The following rules have therefore been drawn up in supersession of the existing rule, and are hereby published for general information. They must be considered applicable to European public servants of all descriptions, Civil, Military and Uncovenanted:—

I.—Whenever a public servant wishes to dispose of a house, bungalow, elephant, horse or carriage, or other valuable property, to any Native within his jurisdiction, or within the limits of the district in which he is employed on the public service, and from which he is not about to remove, he must report his intention to the Local Government to which he is subordinate, stating the facts and circumstances and the price offered for the article to be sold. The Local Government will then pass such orders on the reference as may seem fit and proper.

II.—Whenever a public servant is about to quit his station or district permanently or for a considerable period, and wishes to dispose of his house, bungalow, elephant, carriages and horses and the like property of value, to Native purchasers, he shall report his intention to the Commissioner or the head local authority to which he may be immediately subordinate, and that authority will use its discretion in allowing the transaction, or in reporting the circumstances to the Local Government for further orders.

III.—Whenever a public servant, on quitting his station or district, wishes to dispose of his furniture, household goods, live-stock, &c., he is at full liberty to do so either by circulating lists of such property amongst the community generally, or by having the same put up to public auction, without reference to any authority whatever. All that is necessary is that the transaction should be open and patent to everybody on the spot.

IV.—Rule No. I is to be considered applicable to purchasers equally with sales.

5. The observance of the above rules will, His Excellency in Council thinks fully meet the inconveniences and exigencies to which gentlemen of acknowledged honour and probity would be put on many occasions if debarred from such transactions; while, at the same time, they will be a sufficient safeguard against any abuse, any imputation of unfair or interested dealings, or any possibility of misconception on the part of the non-official community."

RESOLUTION.—The above Notification was republished from the *Gazette of India* in the *Bombay Government Gazette* of the 29th ultimo. Copies of it should be separately communicated to all Departments of the Secretariat and all Heads of Offices under the several Departments for information and guidance.

Presents.

No. 2271.

GENERAL DEPARTMENT.

Bombay Castle, 25th July 1876.

Memorandum from the Officiating Under Secretary to the Government of India, Home Department (Public), No. 1144, dated 13th July 1876 :—

"Circular No. 1299 G., dated Simla, the 20th June 1876.

From—T. H. THORNTON, Esq., D.C.L., Officiating Secretary to the Government of India, Foreign Department;

To—The Chief Commissioners, Mysore and Ajmere; Residents, Hyderabad, Nipal and Mandalay; Agents, Governor General, Central India, Rajputana and Baroda; Political Resident, Persian Gulf; Political Agents, Manipur and Turkish Arabia; Agent, Governor General, Ex-King of Oudh, and Superintendent of Political Pensions; and General Superintendent of Operations for the Suppression of Thuggee and Dacoity.

I am directed to forward, for your information and guidance and communication to your subordinates, the following summary of the existing law and rules regarding the acceptance by Government servants of presents from Native Chiefs and others :—

I.—The main provisions of the law on the subject are contained (see Appendix) in 13 George III, Chapter 63, Sections 23-24; 33 George III, Chapter 52, Sections 62-63; 3 and 4 William IV, Chapter 85, Section 76.

II.—The prohibition of the receipt of presents from Native Chiefs and others does not extend to the receipt of a few flowers or fruits, and articles of inappreciable value, although even such trifling presents should be discouraged.

III.—It does not extend to the exchange of presents between Governors, Lieutenant-Governors, Chief Commissioners, Agents to the Governor General or Political officers generally in their ceremonial intercourse with Native Chiefs, on which occasions the presents from the Chiefs are deposited in the Government Toshakhana, and return presents are given at the Government expense.

IV.—It does not apply to presents to Medical Officers made *bona fide* for services rendered.

V.—The general prohibition extends to all servants of Government, Native or European, Covenanted or Uncovenanted, in whatsoever Department they may be serving.

VI.—Where presents cannot absolutely be refused without giving offence, they must be delivered up to Government, and to this rule no exception whatsoever is permissible save with the express sanction of His Excellency the Governor General in Council, which will only be given under very special circumstances.

2. The Governor General in Council desires that the above rules may be strictly observed and no deviation therefrom permitted, except with the previous sanction of the Government of India.

No. 1300 G.

Copy forwarded to the Home Department for information and circulation to all Local Governments within British Territory.

[*Extract 13, Geo. III, Chap. 63, Sections 23 and 24.*]

The Governor General, Council, and Judges restricted from accepting any present.

XXIII.—And be it further enacted by the authority aforesaid, that no Governor General or any of the Council of the said United Company's Presidency of Fort William in Bengal, or any Chief Justice, or any of the Judges of the Supreme Court of Judicature at Fort William aforesaid, shall, directly or indirectly, by themselves, or by any other person or persons for his or their use, or on his or their behalf, accept, receive, or take, of or from any person or persons, in any manner, or on any account whatsoever, any present, gift, donation, gratuity, or reward, pecuniary or otherwise, or any promise or engagement for any present, gift, donation, gratuity, or reward * * * *.

No person holding a civil or military office under the Crown or Company shall accept any donation or gratuity.

XXIV.—And be it further enacted by the authority aforesaid, that from and after the first day of August one thousand seven hundred and seventy-four no person holding or exercising any civil or military office under the Crown, or the said United Company, in the East Indies, shall accept, receive, or take, directly or indirectly, by himself, or any other person or persons on his behalf, or for his use or benefit, of and from any of the Indian princes or powers, or their ministers or agents (or any of the natives of Asia), any present, gift, donation, gratuity, or reward, pecuniary or otherwise, upon any account, or on any pretence whatsoever, or any promise or engagement for any present, gift, donation, gratuity, or reward * * * *.

[*Extract 33, Geo. III, Chap. 52, Sections 62 and 63.*]

Receiving gifts to be deemed a misdemeanour.

LXII.—And be it further enacted, that the demanding or receiving any sum of money, or other valuable thing as a gift or present, or under colour thereof, whether it be for the use of the party receiving the same, or for, or pretended to be for, the use of the said Company, or of any other person whatsoever, by any British subject holding or exercising any office or employment under His Majesty, or the said United Company in the East Indies, shall be deemed and taken to be extortion and a misdemeanour at law, and shall be proceeded against and punished as such, under and by virtue of this Act; and the offender shall also forfeit to the King's Majesty, his heirs and successors, the whole gift or present so received, or the full value thereof.

The Court may order gifts to be restored, and fines to be given to the prosecutor.

LXIII.—Provided always, and be it further enacted, that the Court of Jurisdiction before whom any such offence shall be tried, shall have full power and authority to direct the said present or gift, or any part thereof, to be restored to the party who gave the same, or to order the whole, or any part thereof, or of any fine which the Court shall set on the offender, to be paid or given to the prosecutor or informer, as such Court in its discretion shall think fit.

[*Extract 3 and 4, William IV, Chap. 85, Section 76.*]

Salaries of Governor General, &c., fixed, to be in lieu of all fees, &c.

LXXVI.—And be it enacted that there shall be paid to the several officers hereinafter named the several salaries set against the name of such officers, subject to such reduction of the said several salaries respectively as the said Court of Directors, with the sanction of the said Board, may at any time think fit; that is to say—

To the Governor General of India, two hundred and forty thousand sicca rupees;

To each ordinary Member of the Council of India, ninety-six thousand sicca rupees;

To each Governor of the Presidencies of Fort Saint George, Bombay, and Agra one hundred and twenty thousand sicca rupees;

To each Member of any Council to be appointed in any Presidency, sixty thousand sicca rupees;

and the salaries of the said officers respectively shall commence from their respectively taking upon them the execution of their respective offices; and the said salaries shall

be the whole profit or advantage which the said officers shall enjoy during their continuance in such offices respectively; and it shall be, and it is hereby declared to be, a misdemeanour for any such officer to accept for his own use, in the discharge of his office, any present, gift, donation, gratuity, or reward, pecuniary or otherwise, whatsoever, or to trade or traffic for his own benefit, or for the benefit of any other person or persons whatever, &c., &c."

Acceptance of gratuities a misdemeanour.

Passage-money fixed.

RESOLUTION.—To be communicated to all Departments and all Heads of Offices under the several Departments of the Secretariat for information and guidance.

Regulations as to the receipt of presents, supplies, transport, and free quarters from Native States by Political Officers and their subordinates.

CIRCULAR.

No. 2323.

POLITICAL DEPARTMENT.

Bombay Castle, 10th April 1891.

The Governor in Council has been recently considering whether any addition to the standing orders regarding the acceptance of presents by public servants is required. A summary of the law and rules laid down on the subject was published in Government Resolution No. 2271, General Department, dated the 25th of July 1876, circulated with Political Department Circular No. 5555, dated the 4th of September 1890. In the rules then published an exemption is made in favour of "the receipt of a few flowers or fruits and articles of inappreciable value, although even such trifling presents should be discouraged": and a Political officer of high standing has recently suggested that this exemption should be further limited to fruits or flowers locally grown, and a prohibition against the regular daily receipt of even such fruits inserted. On the whole, however, the Governor in Council is not disposed to alter the rule, but to recall attention to it and to the spirit which underlies it. The spirit of the orders of Government is to discourage the receipt of all presents, and only to permit the receipt of occasional offerings of fruit or flowers where such offerings cannot be rejected without causing offence. At the same time the Governor in Council thinks that the time has come, when every ruler of a Native State might be furnished with a copy of the orders of Government, and this Resolution may be given accordingly. A copy should also be furnished to every officer in the Political Department of this Government.

Prohibition of the receipt of presents.

2. The occasion may be suitably taken to call attention to other standing orders of a similar character. Government Circular No. 3336, dated the 31st of May 1873, repeated in Circular No. 5713, dated the 7th of September 1887, ordered Political officers to pay without fail for all supplies and transport furnished to them by Native States. Where an officer must depend on the assistance of the Darbar for his supplies, he must request the Darbar to appoint dealers from whom the articles required can be procured for proper payment. It is to be understood that grass, or fodder, or free supplies for the table of officers staying in State bungalows for however short a time are absolutely and expressly prohibited. In any case where a Political officer visits the capital of a Native State in the course of his tour he is bound to supply himself with all that he requires. In the case of rapid journeys occasionally undertaken for special service where the officer's own transport is obviously insufficient, and no hired transport can be obtained, the Darbar may occasionally lend a carriage. An absolute prohibition to use such means, where no other means are procurable,

Prohibition of receipt of supplies or transport.